



Patent  
Attorney Docket: 302,670-11  
(prev 265/083)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of:

**Mark M. Wang et al.**

Serial No.: 09/993,376

Filed: November 14, 2001

For: Methods and Apparatus for Sorting of  
Bioparticles Based Upon Optical Spectral  
Signature

Group Art Unit: Not yet assigned

Examiner: Not yet assigned

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H.9.  
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**SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT**

Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

Pursuant to 37 C.F.R. §1.56 and in accordance with 37 C.F.R. §§1.97–1.98,  
information relating to the above–identified application is hereby disclosed. The  
accompanying Form PTO 1449 provides a listing of documents that may be relevant to the  
subject application.

It is requested that the Examiner fully consider the art cited in the accompanying  
Form 1449, initial the left–most column of the form adjacent each cited reference, and  
return a copy for Applicants' records. It is further requested that the art be cited on the  
cover of any patent issuing from the subject application.

CERTIFICATE OF MAILING  
(37 C.F.R. §1.8a)

I hereby certify that this paper (along with any referred to as being attached or enclosed) is being deposited with the United States Postal  
Service on the date shown below with sufficient postage as First Class Mail in an envelope addressed to the Commissioner for Patents,  
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IR1:1035621.1

Denise Doss

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In accordance with §1.97(b), this Information Disclosure Statement is being filed before the mailing of a first Office Action on the merits of the above-identified application, and therefore no fee is required. If a first Office Action has been mailed, then please enter this Information Disclosure Statement and charge Deposit Account No. 500639 for any necessary fees.

Applicant notes that each item of information contained in this information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application. A copy of the foreign search report is attached hereto as Exhibit A. Copies of each of the references listed on the attached Form PTO 1449 are enclosed herewith.


This statement should not be construed as a representation that more material information does not exist or that an exhaustive search of the relevant art has been made. Nor does this statement constitute an admission by Applicants or Applicants' agent that the information provided herein is necessarily prior art to Applicants' invention. Moreover, Applicants reserve the right to establish the patentability of the claimed invention over any of the listed documents should they be applied there-against as references. Please charge any deficiency or credit any overpayment to Deposit Account No. 500639.

Patent  
Attorney Docket: 302,670-11  
(prev 265/083)

Respectfully submitted,

O'MELVENY & MYERS LLP

Dated: 10/21/02

By:   
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34263

PATENT TRADEMARK OFFICE

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FORM PTO-1449

ATTY. Docket NO.  
302,670-11 (prev 265/083)SERIAL NO.  
09/993,376LIST OF PATENTS AND OTHER ITEMS FOR APPLICANT'S  
INFORMATION DISCLOSURE STATEMENTAPPLICANT:  
Mark M. Wang et al.FILING DATE:  
November 14, 2001GROUP:  
Not Yet Assigned

(Use several sheets if necessary)

## U.S. PATENT DOCUMENTS

EXAMINER INITIAL	DOCUMENT NUMBER	DATE	NAME	CLASS	SUB CLASS	FILING DATE
AA	5,950,071	09/07/99	Hammond et al.	438	115	11/17/95
AB	6,280,960	08/28/01	Carr	435	7.2	06/01/98

## FOREIGN PATENT DOCUMENTS

EXAMINER INITIAL	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB CLASS	TRANSLATIO YES NO

## OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, etc.)

AC	Mason, T.G. et al., Optical Measurements of Frequency-Dependent Linear Viscoelastic Moduli of Complex Fluids, Physical Review Letters, Vol. 74, No. 7, February 1995, pp 1250-53
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IR1:1035623.1 EXAMINER:

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EXAMINER: Initial if reference is considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include a copy of this form with next communication to applicant